

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:21-CV-44-D

CUMIS INSURANCE SOCIETY, INC.,)
)
Plaintiff,)
)
v.)
)
NATIONWIDE MUTUAL FIRE)
INSURANCE COMPANY,)
)
Defendant.)

ORDER

The court has reviewed the entire record and governing law. For the reasons stated in defendant's memorandum of law in support of its motion to dismiss count two in plaintiff's complaint [D.E. 13] and in defendant's reply brief [D.E. 15], the court GRANTS defendant's motion to dismiss count two [D.E. 12] for failure to state a claim upon which relief can be granted.

SO ORDERED. This 28 day of July 2021.



JAMES C. DEVER III
United States District Judge